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Attorneys for Plaintiff  
and Third-Party Defendants  
the SS Companies

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

|                                |   |                                       |
|--------------------------------|---|---------------------------------------|
| SPORTS SHINKO CO., LTD.,       | ) | CIVIL NO. CV 04-00124                 |
| a Japanese corporation,        | ) | ACK/BMK                               |
|                                | ) |                                       |
| Plaintiff,                     | ) | CONSOLIDATED CASES                    |
|                                | ) |                                       |
| vs.                            | ) |                                       |
|                                | ) | <b>PLAINTIFFS' AND THIRD-PARTY</b>    |
| QK HOTEL, LLC, a Hawai'i       | ) | <b>DEFENDANTS' SPORTS SHINKO</b>      |
| limited liability company, KG  | ) | <b>(USA) CO., LTD., SPORTS SHINKO</b> |
| HOLDINGS, LLC, a Hawai'i       | ) | <b>(HAWAII) CO., LTD., SPORTS</b>     |
| limited liability company,     | ) | <b>SHINKO (MILILANI) CO., LTD.,</b>   |
| FRANKLIN K. MUKAI,             | ) | <b>SPORTS SHINKO (KAUAI) CO.,</b>     |
|                                | ) | <b>LTD., SPORTS SHINKO (PUKALANI)</b> |
| Defendants,                    | ) | <b>CO., LTD., SPORTS SHINKO</b>       |
|                                | ) | <b>RESORT HOTEL CORPORATION,</b>      |
| and                            | ) | <b>SPORTS SHINKO (WAIKIKI)</b>        |
|                                | ) | <b>CORPORATION AND OCEAN RESORT</b>   |
| FRANKLIN K. MUKAI,             | ) | <b>HOTEL CORPORATION'S</b>            |
|                                | ) | <b>CERTIFICATE OF SERVICE</b>         |
| Third-Party                    | ) |                                       |
| Plaintiff,                     | ) |                                       |
|                                | ) | [RE: Plaintiffs' and Third-           |
| vs.                            | ) | Party Defendants' Sports              |
|                                | ) | Shinko (USA) Co., Ltd., Sports        |
| SPORTS SHINKO (USA) CO.; LTD., | ) | Shinko (Hawaii) Co., Ltd.,            |
| a Delaware corporation;SPORTS  | ) | Sports Shinko (Mililani) Co.,         |
| SHINKO (HAWAII) CO., LTD., a   | ) | Ltd., Sports Shinko (Kauai)           |
| Hawai'i corporation; SPORTS    | ) | Co., Ltd., Sports Shinko              |
| SHINKO (MILILANI) CO., LTD., a | ) | (Pukalani) Co., Ltd., Sports          |

Hawai'i corporation; SPORTS SHINKO (KAUAI) CO., LTD., a Hawai'i corporation; SPORTS SHINKO (PUKALANI) CO., LTD., a Hawai'i corporation; SPORTS SHINKO RESORT HOTEL CORPORATION, a Hawai'i corporation; SPORTS SHINKO (WAIKIKI) CORPORATION, a Hawai'i corporation; and OCEAN RESORT HOTEL CORPORATION, a Hawai'i corporation,

Third-Party  
Defendants.

SPORTS SHINKO (USA) CO., LTD.,  
a Delaware corporation,

Plaintiff,

vs.

PUKALANI GOLF CLUB, LLC, a Hawai'i limited liability company; KG MAUI DEVELOPMENT, LLC, a Hawai'i limited liability company; KG HOLDINGS, LLC, a Hawai'i limited liability company, FRANKLIN K. MUKAI,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party  
Plaintiff,

vs.

SPORTS SHINKO CO., LTD.,  
a Japan corporation, SPORTS SHINKO (HAWAII) CO., LTD.,  
a Hawai'i corporation, SPORTS SHINKO (MILILANI) CO., LTD.,  
a Hawai'i corporation, SPORTS

Shinko Resort Hotel Corporation, Sports Shinko (Waikiki) Corporation and Ocean Resort Hotel Corporation's Notice of Taking Deposition upon Written Questions re: Aqua Engineers, Inc.]

CIVIL NO. CV 04-00125  
ACK/BMK

SHINKO (KAUAI) CO., LTD., )  
a Hawai'i corporation, SPORTS )  
SHINKO (PUKALANI) CO., LTD., a )  
Hawai'i corporation, SPORTS )  
SHINKO RESORT HOTEL )  
CORPORATION, a Hawai'i )  
corporation, SPORTS SHINKO )  
(WAIKIKI) CORPORATION, )  
a Hawai'i corporation, and )  
OCEAN RESORT HOTEL CORPORATION, )  
a Hawai'i corporation, )  
) )  
Third-Party )  
Defendants. )

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SPORTS SHINKO (USA) CO., LTD, a )  
Delaware corporation, )

Plaintiff, )

vs. )

KIAHUNA GOLF CLUB, LLC, a )  
Hawai'i limited liability )  
company; KG KAUAI DEVELOPMENT, )  
LLC, a Hawai'i limited liability )  
company; PUKALANI GOLF CLUB, )  
LLC, a Hawai'i limited liability )  
company; KG MAUI DEVELOPMENT, )  
LLC, a Hawai'i limited liability )  
company; MILILANI GOLF CLUB, )  
LLC, a Hawai'i limited liability )  
company; QK HOTEL, LLC, a )  
Hawai'i limited liability )  
company; OR HOTEL, LLC, a )  
Hawai'i limited liability )  
company, and KG HOLDINGS, LLC, )  
a Hawai'i limited liability )  
company, )

Defendants, )

and )

FRANKLIN K. MUKAI, )

Third-Party )  
Plaintiff, )

CIVIL NO. CV 04-00126  
ACK/BMK

|                                |   |                       |
|--------------------------------|---|-----------------------|
| vs.                            | ) |                       |
|                                | ) |                       |
| SPORTS SHINKO CO., LTD., a     | ) |                       |
| Japan corporation, SPORTS      | ) |                       |
| SHINKO (HAWAII) CO., LTD., a   | ) |                       |
| Hawai'i corporation, SPORTS    | ) |                       |
| SHINKO (MILILANI) CO., LTD., a | ) |                       |
| Hawai'i corporation, SPORTS    | ) |                       |
| SHINKO (KAUAI) CO., LTD., a    | ) |                       |
| Hawai'i corporation, SPORTS    | ) |                       |
| SHINKO (PUKALANI) CO., LTD., a | ) |                       |
| Hawai'i corporation, SPORTS    | ) |                       |
| SHINKO RESORT HOTEL            | ) |                       |
| CORPORATION, a Hawai'i         | ) |                       |
| corporation, SPORTS SHINKO     | ) |                       |
| (WAIKIKI) CORPORATION, a       | ) |                       |
| Hawai'i corporation and OCEAN  | ) |                       |
| RESORT HOTEL CORPORATION, a    | ) |                       |
| Hawai'i corporation,           | ) |                       |
|                                | ) |                       |
| Third-Party                    | ) |                       |
| Defendants.                    | ) |                       |
|                                | ) |                       |
| <hr/>                          |   |                       |
| SPORTS SHINKO CO., LTD., a     | ) | CIVIL NO. CV 04-00127 |
| Japanese corporation,          | ) | ACK/BMK               |
|                                | ) |                       |
| Plaintiff,                     | ) |                       |
|                                | ) |                       |
| vs.                            | ) |                       |
|                                | ) |                       |
| OR HOTEL, LLC, a Hawai'i       | ) |                       |
| limited liability company, KG  | ) |                       |
| HOLDINGS, LLC, a Hawai'i       | ) |                       |
| limited liability company,     | ) |                       |
| FRANKLIN K. MUKAI,             | ) |                       |
|                                | ) |                       |
| Defendants,                    | ) |                       |
|                                | ) |                       |
| and                            | ) |                       |
|                                | ) |                       |
| FRANKLIN K. MUKAI,             | ) |                       |
|                                | ) |                       |
| Third-Party                    | ) |                       |
| Plaintiff,                     | ) |                       |
|                                | ) |                       |
| vs.                            | ) |                       |
|                                | ) |                       |
| SPORTS SHINKO (USA) CO., LTD., | ) |                       |
| a Delaware corporation; SPORTS | ) |                       |

SHINKO (HAWAII) CO., LTD., a )  
Hawai'i corporation; SPORTS )  
SHINKO (MILILANI) CO., LTD., a )  
Hawai'i corporation; SPORTS )  
SHINKO (KAUAI) CO., LTD., a )  
Hawai'i corporation; SPORTS )  
SHINKO (PUKALANI) CO., LTD., a )  
Hawai'i corporation; SPORTS )  
SHINKO RESORT HOTEL )  
CORPORATION, a Hawai'i )  
corporation; SPORTS SHINKO )  
(WAIKIKI) CORPORATION, a )  
Hawai'i corporation; and OCEAN )  
RESORT HOTEL CORPORATION, a )  
Hawai'i corporation, )

Third-Party )  
Defendants. )

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SPORTS SHINKO (USA) CO., LTD., )  
a Delaware corporation, )

Plaintiff, )

vs. )

MILILANI GOLF CLUB, LLC, )  
a Hawai'i limited liability )  
company; KG HOLDINGS, LLC, )  
a Hawai'i limited liability )  
company, FRANKLIN K. MUKAI, )

Defendants, )

and )

FRANKLIN K. MUKAI, )

Third-Party )  
Plaintiff, )

vs. )

SPORTS SHINKO CO., LTD., a )  
Japan corporation, SPORTS )  
SHINKO (HAWAII) CO., LTD., a )  
Hawai'i corporation, SPORTS )  
SHINKO (MILILANI) CO., LTD., a )  
Hawai'i corporation, SPORTS )

CIVIL NO. CV 04-00128  
ACK/BMK

SHINKO (KAUAI) CO., LTD., a )  
Hawai`i corporation, SPORTS )  
SHINKO (PUKALANI) CO., LTD., )  
a Hawai`i corporation, SPORTS )  
SHINKO RESORT HOTEL )  
CORPORATION, a Hawai`i )  
corporation, SPORTS SHINKO )  
(WAIKIKI) CORPORATION, a )  
Hawai`i corporation, and )  
OCEAN RESORT HOTEL CORPORATION, )  
a Hawai`i corporation, )  
) )  
Third-Party )  
Defendants. )  
\_\_\_\_\_ )

**PLAINTIFFS' AND THIRD-PARTY DEFENDANTS' SPORTS SHINKO (USA) CO., LTD., SPORTS SHINKO (HAWAII) CO., LTD., SPORTS SHINKO (MILILANI) CO., LTD., SPORTS SHINKO (KAUAI) CO., LTD., SPORTS SHINKO (PUKALANI) CO., LTD., SPORTS SHINKO RESORT HOTEL CORPORATION, SPORTS SHINKO (WAIKIKI) CORPORATION AND OCEAN RESORT HOTEL CORPORATION'S CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 6, 2006, I caused a true and correct copy of **Plaintiffs' and Third-Party Defendants' Sports Shinko (USA) Co., Ltd., Sports Shinko (Hawaii) Co., Ltd., Sports Shinko (Mililani) Co., Ltd., Sports Shinko (Kauai) Co., Ltd., Sports Shinko (Pukalani) Co., Ltd., Sports Shinko Resort Hotel Corporation, Sports Shinko (Waikiki) Corporation and Ocean Resort Hotel Corporation's Notice of Taking Deposition upon Written Questions re: Aqua Engineers, Inc.** to be served on the following persons by facsimile, hand-delivery or U.S. mail, postage prepaid (as indicated below) to their respective addresses:

|  | HAND-<br>DELIVERED | FAX | MAILED |
|--|--------------------|-----|--------|
| WILLIAM A. BORDNER, ESQ.<br>Suite 3100, Mauka Tower<br>737 Bishop Street<br>Honolulu, HI 96813 | ( )                | ( ) | ( X )  |

Attorney for Defendant  
and Third-Party Plaintiff  
FRANKLIN K. MUKAI

|  |     |     |       |
|--|-----|-----|-------|
| WARREN PRICE, III, ESQ.<br>ROBERT A. MARKS, ESQ.<br>728 Ocean View Center<br>707 Richards Street<br>Honolulu, HI 96813 | ( ) | ( ) | ( X ) |
|--|-----|-----|-------|

Attorneys for Defendants  
KIAHUNA GOLF CLUB, LLC; KG  
KAUAI DEVELOPMENT, LLC;  
PUKALANI GOLF  
CLUB, LLC; KG MAUI  
DEVELOPMENT, LLC; MILILANI  
GOLF CLUB, LLC; QK HOTEL,  
LLC; OR HOTEL, LLC; AND  
KG HOLDINGS, LLC

DATED: Honolulu, Hawai'i, October 6, 2006.

/s/ Glenn T. Melchinger  
PAUL ALSTON  
GLENN T. MELCHINGER

Attorneys for Plaintiffs  
and Third-Party Defendants,  
the SS Companies